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RONALD K. KOTOSHIRODO, TRUSTEE

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF HAWAII

In re)	CASE NO. 06-00898
)	(Chapter 7)
JAMES WILLIAM LULL,)	
)	TRUSTEE'S MOTION TO
Debtor.)	AUTHORIZE EMPLOYMENT OF
)	AUCTIONEER, PAYMENT OF
)	AUCTION FEES AND COSTS, AND
)	SALE OF PERSONAL PROPERTY
)	
)	
)	[Non-hearing motion]
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**TRUSTEE'S MOTION TO AUTHORIZE EMPLOYMENT OF
AUCTIONEER, PAYMENT OF AUCTION FEES AND COSTS,
AND SALE OF PERSONAL PROPERTY**

RONALD K. KOTOSHIRODO ("Trustee"), Trustee of the estate of James Lull, the above-named debtor, moves the Court as follows:

1. This Chapter 7 case was filed on December 8, 2006.
2. Ronald K. Kotoshirodo is the duly appointed Chapter 7 trustee in this case.
3. Property of the estate includes the Debtor's former residence at 3557 Anini Road, Kilauea, Kauai.
4. The Debtor, in his bankruptcy schedules, claimed an exemption in "household goods and furnishings" situated at 3557 Anini Road.
5. The Debtor did not claim any exemption with respect to any pictures and other art objects, antiques, coins and other collections or collectibles situated at 3557 Anini Road.
6. On January 18, 2008, the court entered an Order Granting Trustee's Motion to Authorize Employment of Auctioneer, Payment of Auction Fees and Costs, and Sale of Personal Property permitting the Trustee to employ McClain Auctions to sell the personal property situated at 3557 Anini Road.
7. On December 13, 2008, a public auction was held by McClain Auctions of the personal property that was situated at 3557 Anini Road.

8. However, several items were not sold by McClain Auctions. The unsold items included an armoire, certain opals, pool cues, and miscellaneous other collectibles (the “Property”).

9. McClain Auctions is no longer able to conduct an auction of the Property.

10. Paradise Auction, Ltd. has indicated that it is willing to conduct an auction of the Property with the exception of the pool cues.

Accordingly, the Trustee moves the Court as follows:

A. To authorize the Trustee to employ Paradise Auction, Ltd. to conduct a public auction sale of the Property on Oahu, at a fee of twenty-five percent (25%) of the gross sales proceeds, provided, however, that Paradise Auction, Ltd. covers all costs of sale and all expenses of the auction. The twenty-five percent (25%) commission shall include all services, time and costs related to the above-described services and shall be paid without further notice, hearing or order of this Court.

B. To authorize the Trustee, without need of further order of this Court, to disburse from the gross sales proceeds to Paradise Auction, Ltd., 25% of such gross sales proceeds.

C. After payment of the foregoing, to direct the Trustee to hold the balance of the proceeds pending further order of this Court.

This Motion is made pursuant to Bankruptcy Code §§ 327(a) and 363(b)(1), Bankruptcy Rules 2002(a)(2), 2014(a), 6004(a) and LBR 9013-1 and the Declaration of E. Mike Schmidt in support of *Trustee's Motion to Authorize Employment of Auctioneer, Payment of Auction Fees and Costs, and Sale of Personal Property* filed herewith, and such other and further matters as may be presented herein.

DATED: Honolulu, Hawaii; March 16, 2009.

A handwritten signature in black ink, appearing to read 'Cuyler Shaw', is written above a horizontal line.

CUYLER SHAW

MIRANDA TSAI

Attorneys for Ronald K. Kotoshirodo,
Chapter 7 Trustee